

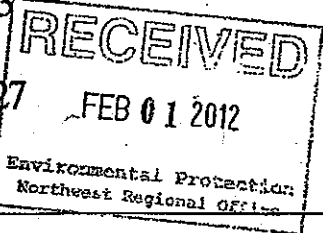


THE BOROUGH OF RIDGWAY

PO Box 149, 108 Main St., Ridgway, Pa. 15853

Phone: (814) 772-6423 FAX: (814) 772-5527

Email: curdy@windstream.net



January 26, 2012

PA Department of Environmental Protection
Bureau of Water Management
230 Chestnut Street
Meadville, PA 16335

Attention: David Balog, P.E.

Reference: Ridgway Borough Wastewater Treatment Facility
NPDES Permit No. PA0023213
Ridgway, Elk County, PA

Dear Mr. Balog:

Based on a review of the Department of Environmental Protection's current draft of the Borough's NPDES Permit No. PA0023213, the Borough of Ridgway offers the following comments:

- 1) The Borough agrees with the Department that empirical data for various waste streams is valuable. Further, the Borough is committed to providing this data and indeed already is. The Borough also agrees with the Department that a reduction or cessation of monitoring requirements is warranted when an analyte is consistently below the level of concern. The Department has included language to the Table in Part A allowing for a reduction in monitoring requirements after a total of two (2) years of monitoring for each parameter. The Borough still maintains that the two (2) year period of sampling required prior to the assessment of the continuing need for effluent monitoring for the nine (9) new parameters is excessive and very costly. Since the new draft of the permit clearly delineates that the Borough can only accept and treat brine wastewater from shallow gas well operations, and not wastewater associated with shale or deep well gas production, the variability of the wastestream is significantly decreased. A one (1) year monitoring period is more than sufficient to adequately assess the variability of the resulting effluent through the seasonal variations, as well as varying wasteloads. Based on the current limit of 20,000 gallons per day, the results from a one-year sampling period would reflect the treatment of approximately 1,500 loads of shallow well brine delivered to the Ridgway plant per year. This quantity of loads treated, mitigates the concern for variability of well-to-well contaminant loadings. Allowing for the re-evaluation to take place after a one-year period will reduce the potential for the Borough to incur unnecessary costs, while providing the Department with more than sufficient information to adequately assess the need for either a permit limit or continued monitoring, especially considering that most permit limits are based on a characterization of three (3) effluent samples and seasonal pretreatment monitoring based on a single sample. Each season under the monitoring requirement shown in this draft will produce the results from six (6) sampling events. The Borough's request that the permit allow for a re-evaluation after one year of data collection should be sufficient to satisfy all concerns that receiving

stream is adequately protected and that the costs associated with wastewater treatment not be increased unnecessarily.

- 2) The Borough requests that an additional clause be included into the Table to indicate that the sample monitoring for the parameters associated with the treatment of gas well wastewater (indicated with a "*") will not be required in months where the Borough does not treat this type of wastewater. Obviously, the sampling for these parameters are due solely to the perceived threat associated with the treatment of gas well brine and if this type of wastewater is not treated during a specific month, the data collected for these parameters would be misleading and unnecessary. Also, in the event that the Borough was to discontinue treatment of this type of wastewater, this type of clause will relieve the Borough and the Department from having to re-open the permit to remove the continued requirement.
- 3) The Borough understands that the inclusion of the language under Part A. Additional Requirements. 2., (requirement for 85 percent removal of TSS and BOD, by concentration), reflects the language found in 25 Pa. Code 92a.47(a)(3). We also understand that as a non-Combined Sewer Overflow system, we are not exempt from the regulation as written. However, the Department should note that previous efforts by the Borough to mitigate any Separate Stormsewer Overflows (SSOs) by an increase in hydraulic capacity of the associated wastewater treatment facilities may have created conditions where we can experience periods of low strength influent that when treated results in effluent that is in full compliance with permit limits. While the condition is not the result of an improperly operated wastewater treatment facility, nor does it result in effluent that is a violation of the NPDES permit and the desired outcomes of secondary treatment are maintained, it is technically a violation of the permit language. It is our understanding that it is the practice of the Department that there will be no enforcement action against a permittee if they continue to be in compliance with numeric permit limits, even if they fail to be in compliance with the 85 percent removal of TSS and BOD when it is due to low influent concentrations.
- 4) The inclusion of the local limits parameters under Part C(II)(4)(D) appears problematic since it specifically names specific parameters to be included into the list for Local Limits Assessment. Several of these parameters, such as strontium and specific radionuclides, do not have published inhibition or applicable water quality criteria necessary to perform the corresponding calculations for the Local Limits assessment. In addition, the inclusion of the language that the Borough "must" include in the list of pollutants to be evaluated "any new pollutants that have been identified through the receipt of...hauling-in wastes", is also potentially problematic, since the waste characterization of wastewater associated with gas production contains small quantities of a broad range of pollutants.
- 5) The Borough questions the Department's inclusion of a new requirement under Part B(C)(4)(c) for "Solids Management Inventory" in the Chapter 94 Annual Report. The introduction of the subsection states that this is "required under the provisions of Title 25 Pa. Code Chapter 94", but this requirement does not appear under Chapter 94.12 which lists the required information of the annual report.
- 6) The inclusion of the requirement to report the total volume of hauled-in residual and municipal wastes under Part B(C)(4)(d) appears to be redundant to the reporting requirement under Part C II(4)(B)(4) which requires that the same information be include into the Annual Pretreatment Report due on the same date and submitted to the US EPA and the Department.

- 7) The Borough continues to contend that the inclusion of a requirement for a Radiation Control Plan does not appear warranted. As was stated previously, the Borough understands that the treatment of the brine waste associated with shale gas production, as well as other deep well gas, appears to have some limited amount of radiation. However, the language included in Part C.II (7) requires that the Borough's treatment of natural gas wastewater be limited to "shallow well operations" and that wastewater from "shale gas operations" is prohibited. In fact, the Department has performed a recent radiation testing survey at our facility and determined that there was no ongoing radiation risk. The Borough proposes that the language of the permit be amended to require that a Radiation Control Plan be developed if the analysis for radiation associated with the shallow gas well brine that the Borough currently treats actually exceeds the level of concern.
- 8) The Borough continues to disagree with the inclusion of the new "instantaneous maximum" limits for both summer and winter fecal coliform levels in the draft NPDES permit. We continue to believe that these new limits are at direct cross purposes to the continued implementation of Part C. II.1. for effluent chlorine optimization and minimization, since the final outcome of the more restrictive instantaneous fecal coliform limits will require that the wastewater treatment facility increase its chlorine use to be certain of maintaining compliance. Unfortunately, this limit appears to have been codified with little to no research into whether it was needed to insure actual instream water quality.
- 9) The language contained under the footnote #1 in Part A, designates that the "discharge flow" at the time of sampling must be measured and recorded. However, as the Department is well aware, the gravity discharge of the Borough's effluent discharge to the Clarion River does not allow for consistently accurate flow measurement so influent flows are considered representative of the flow characteristics for the plant's discharge. The Borough recommends that the language of the footnote be amended to read "representative flow" rather than "discharge flow", as currently written.
- 10) The Department is requested to clarify the language under Part A. Additional Requirements subparagraph 1.d., that specifies that the permittee may not discharge "...substances that produce an observed change in color, taste, odor or turbidity of the receiving water". There are numerous occasions that the Borough's facility discharges effluent that results in a reduction in the turbidity and color present in the Clarion River. As written, this would be a violation of the language contained in the draft permit.
- 11) The Borough has concerns about the open nature of the term "threatening" in Part A.III.C.4.a. and the term "create a danger of pollution" in subsection (i). Based on the language contained in Chapter 91.33, we interpret these terms to be a situation when a toxic substance is "placed so that it might discharge, flow, be washed or fall" into waters of the Commonwealth, including "sewers, drains, ditches or other channels of conveyance into the waters".
- 12) The Borough needs clarification for the following items in Part A. III. C. on reporting and notification requirements. The stipulation under subsection 3. a. (i). (4) requires the Borough to record permit numbers of wells. However, as currently delivered, a single truck load of brine can have brine from up to thirty (30) different wells. Unfortunately, the E DMR form does not accommodate for this condition. How shall we comply?

13) Relative to chemical analysis of residual wastes as reported on Form 26-R, it is our understanding that an annual analysis for a waste stream is sufficient (per Chapter 287.54) and can be referenced for each load for a year. Aside from the annual requirement for the Form 26-R, it is our interpretation that there is no additional requirement to analyze each load before accepting it for treatment.

If you have any questions, please contact my office.

Sincerely,

THE BOROUGH OF RIDGWAY

Paul McCurdy

cc: Richard Dodds, Hill Engineering

Sincerely


Paul J. McCurdy
Environmental Manager